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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,195	03/06/2001	Heinz-Gunther Wilhelm	4616 US6	4092
7590 07/27/2005 Martin A. Farber Suite 473 866 United Nations Plaza New York, NY 10017			EXAMINER DI GRAZIO, JEANNE A	
			ART UNIT 2871	PAPER NUMBER

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/801,195

Applicant(s)

WILHELM, HEINZ-GUNTHER

Examiner

Jeanne A. Di Grazio

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on RCE April 28, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-26,28-33 and 35-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 20-26,28-33 and 35-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claims***

Claims 20-26, 28-33 and 35-38 are pending, claim 34 having been cancelled per Amendment of April 15, 2004. Claims 20, 30 and 35 have been amended per Applicant's Amendment of March 17, 2005.

### ***Priority***

Priority to German Patent Application No. 100 10 812 1 (March 8, 2000) is claimed.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 17, 2005 has been entered.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-26, 28-33 and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent 4,367,467 (to Emile, Jr.) in view of United States Patent 5,406,399 (to Koike).

As to claim 20 (amended), Emile, Jr. teaches and discloses a display device (Figure 1) having a housing (32 and 38) on a front side of which facing a viewer a liquid crystal cell (30) is mounted, and a printed circuit board (PCB 36) which is arranged on a rear of the housing (32 and 38) for making electrical contact with the liquid crystal display (30), a contacting element (60) which is clamped against the liquid crystal cell (Figure 6), is approximately plate-shaped and is guided at its larger sides in the housing (in upper slot 58b) for making electrical connection with the printed circuit board (36) and liquid crystal cell being arranged between the printed circuit board and a contacting region (point of contact top between contacting element and LCD top of Figure 6) which is arranged outside a display region thereof, wherein the housing (32 and 38) is provided with a first hook element (upper 72) as a mating holding element for the clamped contacting element (60), which engages over the LCD in the contacting region (upper portion of

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Figure 6) and a second hook element (lower 72) which engages over the LCD in a region which lies opposite the contacting region and is arranged outside the display region of the LCD, the first and second hook elements extending toward each other along a surface of the liquid crystal cell (Figure 6).

In Emile, first and second hook elements (upper and lower 72) are a single component with the housing (32 and 38).

Please furthermore note, as best understood by the Examiner, that the contacting element (60) will be fitted between the PCB (36) and liquid crystal cell (30) once all of the components are fitted together. It looks as if in Figure 1, the contacting element (60) slides between the PCB (36) and at least the liquid crystal cell (30) to make contact with the cell (30).

Emile, however, does not appear to explicitly specify that the housing with the first and second hook elements constitute a single plastic injection molded component.

Koike, however, teaches and discloses a liquid crystal display apparatus having a frame around the periphery and bottom and extending above polarizers (Title, entire patent). The frame (Figure 3, frame 17) is formed of a resin material and as such it can be mass produced at low cost with a high degree of accuracy by injection molding (Koike Column 4, Lines 46-49). In Koike, it is to be further noted that the frame and liquid crystal panel can be secured by means other than by bonding agents. For example, the frame and liquid crystal panel can be secured by being fitted as directed into a recessed portion of the frame (Column 4, Lines 56-64).

Koike is evidence that ordinary workers in the field of liquid crystal display devices would have found the reason, suggestion and motivation to manufacture a device housing with

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first and second hook elements as a single injection molded component in order to: (1) mass produce the device (2) at a low cost and (3) with a high degree of accuracy.

Therefore, it would have been obvious to one of ordinary skill in the art of liquid crystal display devices at the time the invention was made to modify Emile in view of the teachings of Koike to mass produce a display device at low cost and with a high degree of accuracy.

As to claims 21-26, 28-33 and 35-38, Emile, Jr., discloses the claimed invention except for the molded pieces recited in claims 21-26, 28-33 and 35-38.

As to claim 35, please furthermore note, as best understood by the Examiner, it appears from the Figures as if the hook elements appear to be a part of the housing.

It would have been obvious to one of ordinary skill in the art of display devices at the time the invention was made to include the molded articles in conjunction with the unitary device as claimed, since it has been held that making in one piece an article which has formerly been formed in multiple pieces involves only routine skill in the art (In re Larson, 340 F.2d 965, 968; 144 USPQ 347, 349 (CCPA 1965)).

One would have been motivated to take the assembly as recited in Emile, Jr., and in view of Koike, and from that assembly of pieces to derive an injection molded device therefrom to reduce the number of pieces needed to manufacture a holder for an LCD in order to: (1) simplify manufacturing, (2) improve yield, (3) mass produce the device, (4) at low cost, and (5) for a high degree of accuracy.

*Response to Arguments*

Applicant's arguments with respect to said claims have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne A. Di Grazio whose telephone number is (571)272-2289. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeanne Andrea Di Grazio  
Patent Examiner  
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JDG

  
ROBERT H. KIM  
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